

(F2)

11-13-07

Attorney's Docket No.: 17248-004US1 / 4804US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Aladar A. Szalay et al.
 Serial No. : 10/516,785
 Filed : June 27, 2005

Art Unit : 1636
 Examiner : Daniel M. Sullivan
 Customer No.: 20985
 Confirm. No.: 7336

Title : Light emitting microorganisms and cells for diagnosis and therapy of diseases associated with wounded or inflamed tissue

Mail Stop: Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement (3 pages), Form PTO-1449 (4 pages), cited non U.S. patent documents listed on the form PTO-1449 (2 volumes), documents listed in table of Supplementary Information Disclosure Statement (6 documents), and a return postcard for filing in connection with the above-captioned application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a first Office Action on the merits for the above-captioned application, a fee for filing this statement should not be due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No, 06-1050, as stated below:



The Commissioner is hereby authorized to charge the fee for the extension of time and any other fee that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie Seidman
 Reg. No. 33,779

Attorney's Docket No.: 17248-004US1 / 4804US

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CERTIFICATE OF MAILING BY "EXPRESS MAIL"
 "Express Mail" Mailing Label Number EV 965983055 US

Date of Deposit November 8, 2007

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie Seidman



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
 ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Forms PTO-1449 (4 pages) and copies of the cited non U.S. Patent documents are provided herewith in connection with the above-captioned application.

The documents cited on the Forms PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

In accordance with the requirements of 37 C.F.R. §1.98, the following documents are provided for consideration by the Examiner:

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
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 I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Stephanie Seidman

1) Examination Report, issued October 26, 2005, in connection with European Patent Application No. 02012552.2 (Attorney Docket No. 17248-004EP1/4804EP).

2) Examination Report, issued June 22, 2007, in connection with European Patent Application No. 03735553.4 (Attorney Docket No. 17248-004EP2/4804BEP), which is a national stage filing of International Patent Application No. PCT/EP03/05907.

3-4) Office Actions, issued June 13, 2006 and March 12, 2007, in connection with U.S. Patent Application Serial No. 10/849,664 (Attorney Docket No. 17248-004002/4804B).

5) Office Action, issued October 4, 2007, in connection with Canadian Patent Application No. 2,456,055 (Attorney Docket No. 17248-003CA1/4803CA).

6) "Definition of Tumor", MedicineNet.com,
www.medterms.com/script/main/art.asp?articlekey=5863 (Accessed on May 30, 2007).

The instant application is a national stage filing of International Patent Application No. PCT/EP03/05907, which claims priority to European Patent Application No. 02012552.2.

The table below lists Documents 1-6 and includes a column that provides a space next to each document to be considered, for the Examiner's initials.

Examiner Initial	Document No.	Document
	1	Examination Report, issued October 26, 2005, in connection with European Patent Application No. 02012552.2.
	2	Examination Report, issued June 22, 2007, in connection with European Patent Application No. 03735553.4
	3	Office Action, issued June 13, 2006, in connection with U.S. Patent Application Serial No. 10/849,664
	4	Office Actions, issued March 12, 2007, in connection with U.S. Patent Application Serial No. 10/849,664
	5	Office Action, issued October 4, 2007, in connection with Canadian Patent Application No. 2,456,055
	6	"Definition of Tumor", MedicineNet.com, www.medterms.com/script/main/art.asp?articlekey=5863 (Accessed on May 30, 2007)

Applicant also makes known to the Examiner the following U.S. and international applications, which are commonly owned and/or have one or more inventors in common.

Serial No.	Filing Date	Docket No.
11/529,662	09/27/06	17248-002003/4802C
11/796,028	04/25/07	17248-002004/4802D

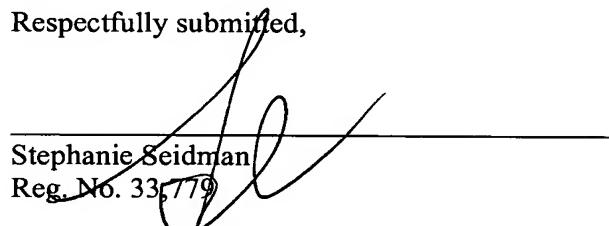
11/796,027	04/25/07	17248-002005/4802E
10/849,664	05/19/04	17248-004002/4804B
11/827,518	07/11/07	17248-012001/4812
11/975,088	10/16/07	17248-015001/4815
11/975,090	10/16/07	17248-016001/4816
<u>Serial No.</u>	<u>Filing Date</u>	<u>Docket No.</u>
PCT/US2007/15829	07/11/07	17248-012WO1/4812PC
PCT/US2007/22172	10/16/07	17248-015WO1/4815PC

Attention is directed to copending U.S. Patent Application Serial No. 10/849,664 filed May 19, 2004, which is a continuation of U.S. Patent Application Serial No. 10/163,763, filed June 5, 2002. The instant application and the copending application include claims directed to methods of detection/visualization of wounds, wounded tissues, inflammation sites and inflamed tissues. The inventive entity listed on the instant application differs from the inventive entity in the copending application. Applicant is reviewing inventorship.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the information, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing documents and they be made of record in the file history of the above-captioned application.

Respectfully submitted,


Stephanie Seidman
Reg. No. 33,779

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